

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

JOHNYAWN)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:17-cv-00088-LGW-RSB
)	
DISCOUNT AUTO PARTS,)	
LLC.)	
)	
Defendant.)	

**CONSENT MOTION TO REVISE SCHEDULING ORDER
TO EXTEND DISCOVERY AND OTHER DEADLINES**

COME the parties in the above-captioned case, and move this Honorable Court for an Order revising the Scheduling Order entered in this matter to extend the deadlines stated in said order by ninety (90) days, and in support thereof, respectfully show as follows:

1.

Soon after the parties agreed to the Scheduling Order, one of Plaintiffs counsellors departed the firm of Plaintiffs counsel, and despite the parties having exchanged written discovery, Plaintiff has been unable to comply with the Scheduling Order and complete discovery due to the scheduling conflicts of Plaintiffs remaining counsellor arising from several other trials, hearings and motions in various Georgia State Superior and Magistrate Courts in which he practices.

2.

Plaintiff has requested medical records from Plaintiffs medical providers, but has not yet received them, and his ability to fulfill his initial disclosure obligations and to effectively respond to discovery have been unavoidably delayed as a result. Defendant's

anticipated efforts to pursue responses to non-party subpoenas for similar records has similarly been delayed as a result. In light of the absence of these materials, the deposition of Plaintiff has also been delayed. The parties will schedule this deposition as soon as practicable following receipt of these materials.

3.

Plaintiff also expects to request the depositions of certain corporate and/or F.R.C.P. 30(b)(6) representatives of Defendant, but the parties are at present unable to identify available dates for these depositions prior to the expiration of the discovery period in the current Scheduling Order. Further, Defendant may need to take the deposition of one or more of Plaintiffs treating physicians when fact witness depositions are complete and all medical records have been received. In light of the records delays identified above, the parties are as yet unable to schedule such depositions.

4.

Written discovery is set to expire in this matter on October 31, 2017, and deposition deadlines for non-expert witnesses is set to expire on December 1, 2017.

5.

As such, the parties respectfully request that discovery and all remaining deadlines in this matter be extended for ninety (90) days in order to accomplish the outstanding discovery and depositions in this case.

6.

A proposed amended scheduling order is attached hereto.

Respectfully submitted, this 7th day of October, 2017.

FARAH & FARAH, P.A.

s/ Alan David Tucker

Alan David Tucker
Georgia Bar No. 717559
777 Gloucester Street, Suite 102
Brunswick, Georgia 31520
912.265.7908 (t)
912-466.8893 (f)
atucker@farahandfarah.com
Attorneys for Plaintiff

**CRUSER, MITCHELL, NOVITZ,
SANCHEZ, GASTON & ZIMET, LLP**

/s/ Shalena Cook Jones

Shalena Cook Jones
Georgia Bar No. 526846
Mary K. Walker
Georgia Bar No. 398572
513 East Oglethorpe Avenue, Suite G
Savannah, Georgia 31401
912.501.3434 (t)
912.501.3504 (f)
sjones@cmlawfirm.com
mwalker@cmlawfirm.com
Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

JOHNYAWN

Plaintiff,

VS.

DISCOUNT AUTO PARTS,
LLC.

Defendant.

Case No. 2:17-cv-00088-LGW-RSB

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties in this case in accordance with the directives from the Court Notice of Electronic Filing ("NEF"), which was generated as a result of electronic filing.

This 7th day of October, 2017.

FARAH & FARAH, P.A.

s/ Alan David Tucker
 Alan David Tucker
 Georgia Bar No. 717559
 777 Gloucester Street, Suite 102
 Brunswick, Georgia 31520
 912.265.7908 (t)
 912.466.8893 (f)
atucker@farahandfarah.com
Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
GEORGIA BRUNSWICK DIVISION**

JOHNYAWN)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:17-cv-00088-LGW-RSB
)	
DISCOUNT AUTO PARTS, LLC.)	
)	
Defendant.)	

PROPOSED MODIFIED SCHEDULING ORDER

In consideration of Fed. R. Civ. P. 16(b), the Local Rules, the Rule 26(t) Report, and the parties' Consent Motion to Modify Scheduling Order to Extend Discovery and Other Deadlines, the Court imposes the following amended scheduling deadlines:

INITIAL DISCLOSURES BY PLAINTIFF	November 28, 2017
LAST DAY FOR FILING MOTIONS TO AMEND OR ADD PARTIES	December 26, 2017
WRITTEN DISCOVERY UNDER RULES 33 THROUGH 36 of the FEDERAL RULES OF CIVIL PROCEDURE	January 31, 2018
DISCOVERY DEPOSITION OF WITNESSES WHO HAVE NOT BEEN DESIGNATED AS EXPERTS	March 1, 2018
DEPOSITIONS OF ALL WITNESSES (WHETHER FACT OR EXPERT) THAT ARE <i>DE BENE ESSE</i> DEPOSITIONS AND TAKEN NOT FOR DISCOVERY BUT FOR USE AT TRIAL	June 1, 2018
LAST DAY TO SERVE EXPERT WITNESS REPORTS BY A PLAINTIFF	January 16, 2018
LAST DAY TO SERVE EXPERT WITNESS REPORTS BY A DEFENDANT	February 16, 2018

DISCOVERY DEPOSITION OF WITNESSES WHO
HAVE BEEN DESIGNATED AS EXPERTS

June 1, 2018

STATUS REPORT DUE

March 18, 2018

CLOSE OF DISCOVERY

July 22, 2017

LAST DAY FOR FILING ALL CML MOTIONS
INCLUDING *DAUBERT* MOTIONS, BUT
EXCLUDING MOTIONS IN LIMINE

July 2, 2018

PRE-TRIAL ORDER DUE

September 1, 2018

SO ORDERED, this ____ day of _____, 2017.

TheHonorable R. Stan Baker
Magistrate Judge
The United States District Court
For the Southern District of Georgia
Brunswick Division